

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

F5 CAPITAL, A CAYMAN ISLANDS
CORPORATION,

Plaintiff,

-against-

PETROS PAPPAS, et al.,

Defendants,

-and-

STAR BULK CARRIERS CORP.,

Nominal Defendant.

No. 14 Civ. 9356 (AT)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying declarations of Bruce G. Paulsen, Petros Pappas, Milena Maria Pappas, Tom Softeland, Spyros Capralos, Koert Erhardt, Stelios Zavvos, Renée Kemp, Georgia Mastagaki, Paul Andy Williams, Stavvi Kanaris, and Suzanna Manaka, including all exhibits annexed thereto, the accompanying memorandum of law dated March 4, 2015 (the “Memo”), and upon all prior pleadings and proceedings herein, defendants Petros Pappas, Milena Maria Pappas, Tom Softeland, Spyros Capralos, Koert Erhardt, Stelios Zavvos, Renée Kemp,¹ Star Synergy LLC, Star Omas LLC, Oceanbulk Carriers LLC, Millenia Limited Liability Company, Millenia Holdings, LLC, Mirabel Shipholding & Invest Limited, Mirach Shipping Company Limited, Bluesea Invest and Holding Limited, and

¹ Petros Pappas, Milena Maria Pappas, Tom Softeland, Spyros Capralos, and Koert Erhardt are collectively referred to as the “Individual Defendants,” and, together with Stelios Zavvos and Renee Kemp, the “Service Defendants.”

Heron Ventures Ltd.² shall move this Court, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007 before the Hon. Analisa Torres, at such time as counsel may be heard, for an order dismissing the Complaint as to the Individual Defendants and the Entity Defendants for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2), and dismissing the Complaint as to the Service Defendants for insufficient service of process pursuant to Fed. R. Civ. P. 12(b)(5).

New York, New York
March 4, 2015

SEWARD & KISSEL LLP

By: /s/ Bruce G. Paulsen

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² Star Synergy LLC, Star Omas LLC, Oceanbulk Carriers LLC, Millenia Limited Liability Company, Millenia Holdings, LLC, Mirabel Shipholding & Invest Limited, Mirach Shipping Company Limited, Bluesea Invest and Holding Limited, and Heron Ventures Ltd. are collectively referred to as the “Entity Defendants.”

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